

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE**

UNITED STATES OF AMERICA

PLAINTIFF

VS.

NO. 3:09CR-85-S

KAREN CUNAGIN SYPHER

ARRAIGNMENT ORDER

This case was called in open Court on May 13, 2009, for arraignment. There appeared John Kuhn, Assistant United States Attorney. Defendant Karen Cunagin Sypher appeared in person with Thomas Clay, retained counsel. The proceedings were recorded by Dena Legg, Official Court Reporter. At the arraignment the indictment was read in its entirety, the United States shall file the corrected penalty page by May 14, 2009. Through counsel, defendant acknowledged having been furnished a copy of the Indictment and advised of the nature of the charges contained therein. Counsel on behalf of the Defendant entered a plea of **not guilty** to the charges contained therein.

IT IS ORDERED as follows:

I. This matter is assigned for trial by jury on **June 29, 2009 at 9:30 a.m.**, before the Honorable Charles R. Simpson III, United States District Judge.

II. Counsel shall, on the morning of trial, furnish to the Court Reporter a list of premarked exhibits to be introduced during the trial. The United States shall retain possession of and be responsible for, all physical exhibits, including weapons, firearms, ammunition, alleged drugs and drug paraphernalia and other physical evidence introduced both during the trial and at the conclusion of the trial.

III. Pre-trial discovery and inspection.

A. On or before **May 26, 2009**, the United States Attorney and defense counsel shall confer and, upon request, permit inspection and copying or photographing of all matter subject to disclosure under Fed.R.Cr.P 16.

B. Any motion for additional discovery or inspection shall be made not later than **June 3, 2009**. Any such motion shall contain a certification from counsel that informal, extrajudicial efforts to resolve the discovery dispute have taken place and been unsuccessful.

C. The parties are reminded of the continuing duty under FRCP 16(c) to disclose additional discoverable evidence or material previously requested or ordered.

III. All other motions.

A. All other defensive and pre-trial motions, including motions to suppress evidence, shall be filed no later than **June 13, 2009**.

IV. All motions and responses made pursuant to this order shall be accompanied by a memorandum and shall conform with and are subject to the requirements and time limitations contained in Joint Local Rules 12.1, except as otherwise provided herein.

V. No later than seven (7) days **prior to trial**, the parties shall file a trial memorandum containing the following:

A. The statute(s) involved and elements of the offense. (With discussion of authorities, if disputed.)

B. A statement of undisputed and disputed facts.

C. A separate statement of each unresolved substantive issue of law, with discussion and citations to authorities.

D. A statement of evidentiary issues which it is reasonably believed will be raised at trial together with citations to the appropriate Federal Rules of Evidence and authorities in support of the position taken.

E. A statement of any known or reasonably anticipated potential trial problems, or other issues which may assist the Court in trying the case.

F. Proposed substantive and special jury instructions with citations to authorities. It is not necessary to submit standard general instructions. Additional requests at trial are to be kept to a minimum.

G. Proposed voir dire questions.

IT IS FURTHER ORDERED that the defendant's bond shall be amended to add the following conditions:

- 7.(a) Report to the Pretrial Services as directed
- (j) No contact with the alleged victim
- (n). Refrain from possessing a firearm, destructive device, or other dangerous weapons.

Date: May 13, 2009

Copies to:

United States Attorney
United States Marshal
Chief U.S. Probation Officer
Counsel for Defendant